

**CITY OF SOUTH AMBOY**  
**PLANNING BOARD**  
**REGULAR MEETING/MINUTES**  
**FEBRUARY 27, 2013**

Members present: Michael Wilday, Mayor Fred A. Henry, Thomas Kelly, Councilwoman Zusette Dato, Richard Moran, Bette Leibowitz, Darcy McCabe-Brew, Robert Paulukiewicz

Members absent: James Riehl, Frank Milatta, Francis Mulvey, Peggy Scarillo

Also present: Angelo Valetutto, Planner; Andrew Brewer, Esq.

Meeting was called to order by Chairman Wilday followed by the salute to the Flag.

Chairman Wilday stated adequate notice of this meeting has been provided under "The Open Public Meeting Act of New Jersey" by advertisement.

Roll call was taken at this time.

Mr. Brewer stated regarding the A&G Enterprise LLC, it involves a "D" variance so Mayor Henry and Councilwoman Dato will need to step down on this application. On the second application, South Amboy Real Estate Development Group, Councilwoman Dato resides within 200 feet of this property and will need to step down on this application and has been advised by Counsel to leave the room.

Mr. Thomas Kelly stated with A&G Enterprises, he would like to go on record to state that the applicant's architect is a personal friend of his, have acquaintances and have done work together in the past. He is not recusing himself but he would like to go on record to state that he has an association with the applicant's architect. Mr. Kelly stated as far as South Amboy Real Estate Development he will recuse himself.

**Completeness Committee**

Motion by Richard Moran, seconded by Michael Wilday to deem the Lillian Applegate Application #332-13 complete. Motion carried 2-0.

#### A&G Enterprise, LLC Application #330-13

(See attached transcript)

Richard Moran stated based on testimony given, the rendition of the building itself is a much more approved addition than what is existing now. No matter what you do with that building, it is not going to decrease the parking. For those reasons and the assurance from the attorney and owner that there's not going to be any music, no dancing, no jukebox, no gaming, no pool tables or anything of that nature, he would like to motion to approve. Motion seconded by Bette Leibowitz. Mr. Kelly stated that the applicant and his professionals have demonstrated that this proposal does meet with the Master Plan. The alteration is a substantial improvement to the building as it exists. From a health, life and safety standpoint it is a vast improvement. Mr. Kelly voted yes with the exception that there is absolutely no live or no entertainment in the building. The application is subject to all inspections including fire and first aid review. Motion carried 6-0.

#### South Amboy Real Estate Development LLC Application #330-13

Mr. Kelly recused himself from this application. The applicant and Mr. Kelly have had dealings professional before so he will not be able to hear this application. Mr. Kelly stepped down and left the room.

(See attached Transcript)

Mr. Brewer stated if the applicant was approved for a Preliminary and Final Site Plan it would still be subject to SARA's approval. This will be contingent upon SARA approving them as the Redevelopers. We have the right to approval but it will be subject to them being named Redevelopers.

Richard Moran will make the motion based upon testimony given and the contingency that it goes to SARA. Motion seconded by Bette Leibowitz. Motion carried 6-0.

#### OLD BUSINESS

Mr. Valetutto stated the Board received a request from Southeast Sayreville to appear before the Board as an informal application. Mr. Valetutto stated the informal will be on for next month's agenda along with the application we deemed complete this evening.

Chairman Wilday opened the meeting to the public. Motion by Richard Moran, seconded by Bette Leibowitz to close to the public. Motion carried 6-0.

Motion by Bette Leibowitz, seconded by Darcy McCabe-Brew to adjourn. All in favor.

Linda Garnett

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